

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOHN HENRY,	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	NO. 11-5505
	:	
ACME # 7871 and SUPERVALU	:	
Defendants.	:	

ORDER

AND NOW, this 25th day of February, 2014, upon consideration of Defendants Acme Markets' and Supervalu's Motion for Summary Judgment (Document No. 16, filed March 29, 2013), Plaintiff's Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment (Document No. 17, filed April 30, 2013), Defendants' Reply Brief in Support of Their Motion for Summary Judgment (Document No. 23, filed May 16, 2013), and Plaintiff's Surreply to Defendants' Reply to Plaintiff's Opposition to Defendant's Motion for Summary Judgment (Document No. 25, filed May 31, 2014), for the reasons set forth in the accompanying Memorandum dated February 25, 2014, **IT IS ORDERED** that Defendants Acme Markets' and Supervalu's Motion for Summary Judgment is **DENIED**.

BY THE COURT:

/s/ **Hon. Jan E. DuBois**

DuBOIS, JAN E., J.